

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: INNIS *et al.*

APPLICATION No.: 09/826,519

FILED: April 3, 2001

FOR: CHIMERIC ANTISENSE OLIGONUCLEOTIDES AND CELL  
TRANSFECTING FORMULATIONS THEREOF

EXAMINER: Epps, J.

ART UNIT: 1635

CONF. NO: 2840

**Request for Continued Examination (RCE) Transmittal**

Subsection (b) of 35 U.S.C. §132, effective on May 29, 2000,  
provides for continued examination of an utility or plant application,  
filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

RECEIVED  
FEB 19 2003  
TECH CENTER 1600/2900

Box: RCE  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. §1.114 of  
the above-identified application.

**Note:** 37 C.F.R. §1.114 is effective on May 29, 2000. If the above-identified application was filed prior  
to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA)  
under 37 C.F.R. §1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term  
adjustment provisions of the AIPA. See changes to Application Examination and Provisional  
Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office  
47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. §1.114

- ☒ Enclosed  
☒ Amendment/Reply  
☒ Petition for 5-Month Extension of Time

2. Miscellaneous

- ☐ Suspension of action on the above-identified application is requested under 37  
C.F.R. §1.103(c) for a period of \_\_\_\_\_ months.


(Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. §1.17(i) required)

3. **Fees** *The RCE fee under 37 C.F.R. §1.17(e) is required by 37 C.F.R. §1.114 when RCE is filed.*

- ☒ A check in the amount of \$2,720.00 is enclosed to cover the following fees.
- ☒ RCE fee required under 37 C.F.R. §1.17(e) (\$750.00)
- ☒ Extension of time fee (37 C.F.R. §1.136 and §1.17) (\$1,970.00)
- ☐ Other
- ☒ The Director is hereby authorized to charge any underpayment in fees (or credit any overpayments) to Deposit Account No. 50-2207.

Respectfully submitted,

Date: Feb. 11, 2003



LeeAnn Gorthey  
Registration No. 37,337  
Phone: (650) 838-4403  
Fax: (650) 838-4350

**Correspondence Address:**

Chiron Corporation  
Intellectual Property R-440  
P. O. Box 8097  
Emeryville, CA 94662-8097



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#12/K.T.  
2/21  
D

IN RE APPLICATION OF: Innis *et al.*

SERIAL NO.: 09/826,519

FILED: APRIL 3, 2001

FOR: CHIMERIC ANTISENSE OLIGONUCLEOTIDES AND  
CELL TRANSFECTING FORMULATIONS THEREOF

EXAMINER: EPPS, J.

ART UNIT: 1635

CONFIRMATION No. 2840

Amendment under 37 CFR § 1.116

Assistant Commissioner for Patents  
Box RCE  
Washington, D.C. 20231

RECEIVED  
FEB 19 2003  
TECH CENTER 1800/2900

Sir:

In response to the Office action mailed August 7, 2002 in the above-identified application, please amend the application as indicated below. Also submitted herewith is a Request for Continued Examination and a Petition for five-month extension of time, along with the requisite fees totalling \$2,720.00.

In the claims:

//  
Please cancel claims 1-7, and add new claims 22-23 as follows:

22. (New) The oligonucleotide of claim 8, wherein X<sup>1</sup>—Y—X<sup>2</sup> has the nucleotide sequence SEQ ID NO: 9.

D  
23. (New) The oligonucleotide of claim 8, wherein X<sup>1</sup>—Y—X<sup>2</sup> has the nucleotide sequence SEQ ID NO: 10.